



WEB COPY



W.P.No.47586 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

**W.P.No.47586 of 2025**  
**and W.M.P.No.53106 of 2025**

1. Mohanraj

2. Sathish

... Petitioners

-VS-

The Sub Registrar,  
Office of the Sub Registrar,  
Sathiyamangalam,  
Erode District.

... Respondent

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorarified Mandamus, to call for the records from respondent's refusal check slip bearing No. RFL/Sathiyamangalam/32/2025 dated 17.11.2025 and to quash the same as manifestly erroneous, unlawful, illegal, unjust, without jurisdiction and against the settled principles of law and consequently direct the respondent to register and release the settlement deed dated 15.11.2025.

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For Petitioners : Mr.P.Saravanan

For Respondent : Mr.V.Baranidharan,  
Special Government Pleader

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### **ORDER**

The petitioners executed a settlement deed in favour of their mother and presented the same for registration on 15.11.2025. The request for registration was declined under the impugned refusal check slip.

2. Learned counsel for the petitioner referred to the impugned refusal check slip and submitted that the reasons for refusal are untenable. In particular, he submits that the request was rejected on the ground that there is no proof that this is the last Will and Testament of the testator. Learned counsel contends that he cannot prove the negative.

3. Learned Special Government Pleader accepts notice for the sole respondent. In all fairness, he submits that the matter warrants re-consideration.



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4. The petitioner has placed on record not only Will dated 29.06.2010, but also death certificate dated 11.11.2011. Patta no.310 in respect of the relevant property stands in the name of the testator and the second petitioner herein. The death certificate discloses the date of death as 30.10.2011. In these circumstances, the refusal on the ground that there is no evidence that it is the last Will and Testament is unsustainable. Therefore, the refusal check slip is set aside and the matter is remanded. The Sub Registrar is directed to consider the request for registration and take necessary measures in relation thereto within **one week** from the date of re-presentation of the settlement deed for registration.

5. This writ petition is disposed of on the above terms. No costs. Consequently, the connected writ miscellaneous petition is closed.

**11.12.2025**

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Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No



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**SENTHILKUMAR RAMAMOORTHY,J**

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**To**

The Sub Registrar,  
Office of the Sub Registrar,  
Sathiyamangalam,  
Erode District.

**W.P.No.47586 of 2025**  
**and W.M.P.No.53106 of 2025**

**11.12.2025**

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